

### **REMARKS**

Claims 1-21 are pending in the present application. In the Office Action mailed September 5, 2006, the Examiner rejected claims 1 and 2 under 35 U.S.C. §102(b) as being anticipated by Bloomer et al. (USP 4,360,847). The Examiner next rejected claims 3-9 under 35 U.S.C. §103(a) as being unpatentable over Bloomer et al. in view of Lee et al. (USP 4,931,715). Claims 10-21 were indicated as containing allowable subject matter. Such indication is appreciated.

In rejecting claim 1 under § 102(b), the Examiner stated that Bloomer et al. teaches all elements of claim 1, including the step of “closing at least a first contactor of a multi-contactor assembly at a first phase angle following a voltage zero-crossing in the system.” As to this step, the Examiner cited the set of relay contacts RA of the system of Bloomer et al. Notwithstanding that the Examiner failed to establish that a set of relay contacts constitutes a “contactor,” Bloomer et al. does not teach that relay contacts RA are closed at a first phase angle following a voltage zero-crossing.

Bloomer et al. discloses a “zero-cross detect” circuit 10 which outputs, via a transistor 32B and a Schmidt trigger 34B, “a first indicating signal  $V_{BA}$  having a series of pulses, with each transition corresponding to a zero crossing in the relative voltage between line B and line A.” *Bloomer et al.*, Col. 5, Ins. 55-63 (emphasis added). Likewise, the zero-cross detect circuit 10 also outputs “a second indicating signal  $V_{CA}$  which is a pulse train having each transition corresponding to a zero crossing in the relative voltage of power line C to power line A.” *Id.* (emphasis added). Thus, these signals do not reflect actual zero-voltage crossings of any particular power signal of the system. In addition, these signals  $V_{BA}$  and  $V_{CA}$  are fed through logic gates 72 to be used as clock inputs CK to a series of flip flops 20B1, 20B2, 20C1, 20C2 corresponding to the pilot and master relays RB1, RC1, RB2, RC2 of the B and C phases, respectively. *Bloomer et al.*, Col. 6, Ins. 50-59. These signals are not used in determining when to close the first phase A must be closed via relay contacts RA. In fact, Bloomer et al. discusses that relay RA “directly” switches power on the A phase line and can be closed at any time before closing the relay for the B phase line. *Bloomer et al.*, Col. 5, Ins. 2-6, Col. 8, Ins. 10-16. Therefore, Bloomer et al. does not teach or suggest that a first contactor should be closed at a particular phase angle following a zero-voltage crossing, as claimed. Accordingly, Applicant requests withdrawal of the rejection of claim 1 and of all claims depending therefrom.

Additionally, the Examiner has failed to address limitations of the dependent claims which Applicant believes are not taught by the art of record. For example, claim 7 recites a first

and second contactor which are closed simultaneously. Since the Examiner has not addressed this and other limitations of the dependent claims, Applicant is unable to adequately respond to the Examiner's basis for rejecting these claims. As such, Applicant requests that, should a subsequent Action on the present application be deemed necessary, the Examiner properly set forth the basis for all rejections and that such Action be non-final in order to afford Applicant an opportunity to fully respond to all rejections.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-21.

Applicant appreciates the Examiner's consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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<sup>1</sup>The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2623. Should no proper payment be enclosed herewith, as by credit card authorization being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2623. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extensions under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2623. Please consider this a general authorization to charge any fee that is due in this case, if not otherwise timely paid, to Deposit Account No. 50-2623.